



City of San Antonio

Agenda Memorandum

File Number: 16-4488

Agenda Item Number: 4.

Agenda Date: 8/17/2016

In Control: Governance Committee

DEPARTMENT: Police Department

DEPARTMENT HEAD: William P. McManus, Chief of Police

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Proposed Social Host Accountability Ordinance

SUMMARY:

On May 6, 2016, Council member Rey Saldaña requested City Council consider an ordinance that would create a local social host ordinance “aimed at reducing underage drinking at gatherings where minors might consume alcohol”. The proposed ordinance would hold accountable adults legally responsible for property where underage drinking has occurred.

BACKGROUND INFORMATION:

Councilmember Saldaña identifies underage drinking on private property as a threat to the public health, safety, and general welfare of the community. The proposed social host ordinance would grant local enforcement agencies the ability to abate gatherings where alcohol is being consumed on private property. It is asserted that the ordinance may “decrease the abuse of alcohol by minors, physical altercations and injuries, sexual assaults, truancy, driving under the influence of alcohol, adolescent crime, motor vehicle crashes, neighborhood vandalism and excessive noise disturbances”.

Existing Enforcement Activities

The San Antonio Police Department enforces five alcohol-related codes specific to minors which are referenced in the table below. Over the last five years, a total of 2,893 citations have been issued to minors observed violating these codes. Since 2012, there has been an overall decrease of 68% in minor alcohol-related offenses.

Offense	Max. Penalty	2012	2013	2014	2015
Purchase of Alcohol	\$200.00	1	1	2	0
Attempt to Purchase Alcohol	\$200.00	6	0	0	0
Consumption of Alcohol	\$500.00	416	191	190	95
Driving Under the Influence	\$500.00	52	37	47	42
Possession of Alcohol	\$500.00	674	365	350	230
		1,149	594	589	367

Underage Drinking & Social Hosting Ordinances

According to the organization *Texans Standing Tall*, research indicates the following with respect to underage drinking and social hosting ordinances and laws:

- A 2012 survey by the Texas Department of State Health Services found that 63% of middle and high school students report getting alcohol at parties
- Social Hosting laws considered a “best practice” by the following organizations:
 - National Research Council
 - Institute of Medicine
 - Office of Juvenile Justice and Delinquency
- Social Hosting laws are among the most effective and recommended strategies to reduce underage drinking

RECOMMENDATION:

The SAPD, in coordination with the City Attorney’s Office, will continue to review best practices and create a draft ordinance. SAPD recommends forwarding this issue to the Criminal Justice, Public Safety, and Services Committee in September for further discussion and possible action.